

**FULBRIGHT & JAWORSKI L.L.P.**

A REGISTERED LIMITED LIABILITY PARTNERSHIP

2100 IDS CENTER

80 SOUTH EIGHTH STREET

MINNEAPOLIS, MINNESOTA 55402-2112

WWW.FULBRIGHT.COM

**RECEIVED**  
**CENTRAL FAX CENTER**  
**MAR 15 2005****FACSIMILE TRANSMISSION****DATE:** March 15, 2005**MATTER NUMBER:**

<b>RECIPIENT(S):</b>	<b>FAX NO.:</b>	<b>PHONE NO.:</b>
<b>Examiner Mital B. Patel</b> <b>United States Patent and Trademark Office</b>	703-872-9306	

**FROM:** John F. Klos, Esq.**PHONE:** (612) 321-2800**FAX:** (612) 321-9600**RE:** Serial No. 09/465,054**NUMBER OF PAGES WITH COVER PAGE:** 11 **Original will not follow****Message:****Attached: (1) Transmittal Form SB/21 (1 page) and (2) Amendment (9 pages)****CERTIFICATE OF FACSIMILE TRANSMISSION UNDER 37 C.F.R. 1.8:**

I hereby certify that this paper and any papers referred to herein are being sent  
via facsimile to the United States Patent and Trademark Office, facsimile number 703-872-9306,  
on March 15, 2005.

John F. Klos: **CAUTION - CONFIDENTIAL**

THE INFORMATION CONTAINED IN THIS FACSIMILE IS CONFIDENTIAL AND MAY ALSO CONTAIN PRIVILEGED ATTORNEY-CLIENT INFORMATION OR WORK PRODUCT. THE INFORMATION IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL OR ENTITY TO WHOM IT IS ADDRESSED. IF YOU ARE NOT THE INTENDED RECIPIENT, OR THE EMPLOYEE OR AGENT RESPONSIBLE TO DELIVER IT TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY USE, DISSEMINATION, DISTRIBUTION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THE FACSIMILE IN ERROR, PLEASE IMMEDIATELY NOTIFY US BY TELEPHONE, AND RETURN THE ORIGINAL MESSAGE TO US AT THE ADDRESS ABOVE VIA THE U.S. POSTAL SERVICE. THANK YOU.

**IF YOU DO NOT RECEIVE ALL OF THE PAGES, PLEASE CALL  
MOLLY AT 612-321-2811 AS SOON AS POSSIBLE.**

PTO/SB/21 (09-04)

Approved for use through 07/31/2005. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL  
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

10

Application Number

09/465,054

Filing Date

December 16, 1999

First Named Inventor

BURTON

Art Unit

3743

Examiner Name

PATEL

Attorney Docket Number

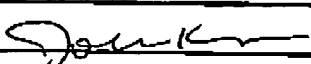
009346.OR1-24,577-44RCE

**ENCLOSURES** (Check all that apply)

<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance Communication to TC
<input type="checkbox"/> Fee Attached	<input type="checkbox"/> Licensing-related Papers	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences
<input checked="" type="checkbox"/> Amendment/Reply	<input type="checkbox"/> Petition	<input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
<input type="checkbox"/> After Final	<input type="checkbox"/> Petition to Convert to a Provisional Application	<input type="checkbox"/> Proprietary Information
<input type="checkbox"/> Affidavits/declaration(s)	<input type="checkbox"/> Power of Attorney, Revocation	<input type="checkbox"/> Status Letter
<input type="checkbox"/> Extension of Time Request	<input type="checkbox"/> Change of Correspondence Address	<input type="checkbox"/> Other Enclosure(s) (please identify below):
<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	
<input type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
<input type="checkbox"/> Reply to Missing Parts/Incomplete Application	<input type="checkbox"/> Landscape Table on CD	
<input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53		

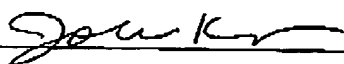
Remarks

**SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT**

Firm Name	Fulbright & Jaworski, LLP		
Signature			
Printed name	JOHN F. KLOS		
Date	March 15, 2005	Reg. No.	37,162

**CERTIFICATE OF TRANSMISSION/MAILING**

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below.

Signature			
Typed or printed name	JOHN F. KLOS	Date	March 15, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED**  
**CENTRAL FAX CENTER**

**MAR 15 2005**

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	BURTON, David	)	Atty Docket No. 990326.ORI
		)	(24,577-44RCE)
Serial No.:	09/465,054	)	
		)	Art Group Unit: 3743
Filed:	December 16, 1999	)	
		)	Examiner: PATEL, Mital B.
Title:	BIO-MASK	)	

AMENDMENT

MAIL STOP AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In response to the Office Action February 15, 2005, Applicant hereby respectfully requests that the Examiner enter the following amendments and consider the following remarks.